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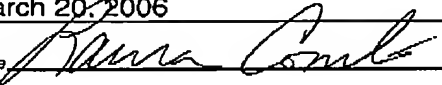

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<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>		Docket Number (Optional) 60,137-245; 185-3067	
<b>CERTIFICATE OF FACSIMILE</b> I hereby certify that this Pre-Appeal Brief Request For Review and Notice of Appeal are being facsimile transmitted to (571) 273-8300. on <u>March 20, 2006</u> Signature <u></u> Typed or printed name <u>Laura Combs</u>		Application Number <u>10/781,411</u>	Filed <u>2/18/2004</u>
		First Named Inventor <u>Li Preti</u>	
		Art Unit <u>1722</u>	Examiner <u>Emmanuel S. Luk</u>
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.  This request is being filed with a notice of appeal.  The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <u>53,154</u> Registration number <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		<u></u> Signature <u>Matthew L. Koziarz</u> Typed or printed name <u>248 988 8360</u> Telephone number <u>March 20, 2006</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**MAR 20 2006**

60137-245/185-3067  
Serial No. 10/781,411, filed 2/18/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alfredo Li Preti  
Serial No.: 10/781,411  
Group Art Unit: 1722  
Examiner: Emmanuel S. Luk  
Filed: 2/18/2004  
Title: SELF-CLEANING MOLD VALVE WITH AIR INJECTION SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Dear Sir:

In response to the final Office Action of November 18, 2005, applicant respectfully submits a Pre-Appeal Brief Request For Review. This request is being filed with a Notice of Appeal. The Review is requested for the reasons set forth below.

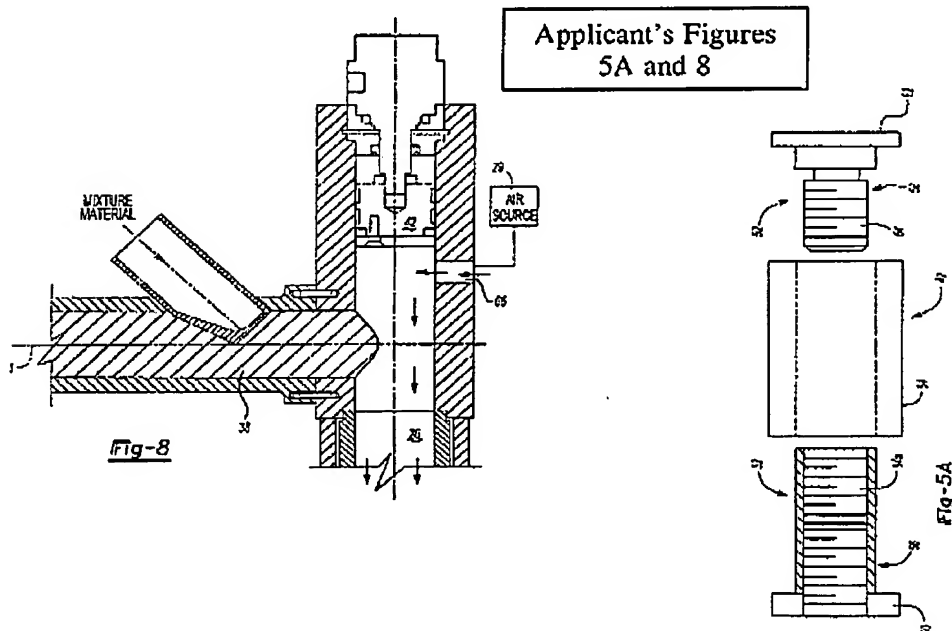
**Issue I.**

Claims 1, 2, 4-10, 15, and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Nennecker* (5,498,151) in view of *Csongor* (5,939,015). Applicant's independent claims and an illustrative figure are reproduced below for convenience. As will be explained in further detail, the Examiner has failed to show proper motivation for making the proposed combination.

60137-245/185-3067

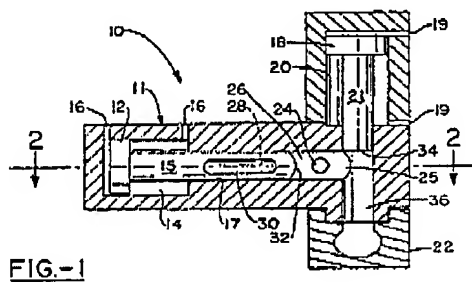
Serial No. 10/781,411, filed 2/18/04

1. (Original) A mold valve assembly for a molding system comprising:
  - a mold valve chamber comprising an output port, said mold valve chamber defining a first axis;
  - an injection chamber in communication with said mold valve chamber, said injection chamber defining a second axis transverse to said first axis;
  - an injection piston movable within said injection chamber, an end segment of said injection piston movable to define a portion of a mold valve chamber inner perimeter; and
  - an air injection system in communication with said mold valve chamber.
  
6. (Currently Amended) A molding system comprising:
  - a mold assembly which defines a mold cavity;
  - a mix head assembly selectively mountable to said mold assembly said mold valve assembling including a mold valve chamber in communication with an injection chamber; and
  - an air injection system in communication with said mold valve assembly to selectively inject air into said mold through said mold valve chamber of said mold valve assembly.



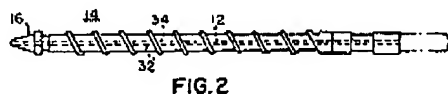
60137-245/185-3067  
Serial No. 10/781,411, filed 2/18/04

*Nennecker* discloses a piston (21) that moves within a chamber (36) to dispense heated plastic material into a mold (22). Figure 1 of *Nennecker* (reproduced below) shows a tight fit between the piston (21) and the walls of the chamber (36) that functions to displace any residual material in the chamber (36) and force the residual material into the mold [col.4, lines 64-65]. This prevents unreacted material in the mixture, which is detrimental to the molded product.



Nennecker Figure 1

Figure 2 of *Csongor* is reproduced below. *Csongor* discloses an injection molding apparatus having a hole 12 that extends through a plasticating screw 14 for introducing high pressure gas, vapors, or liquid into a melt.



Csongor Figure 2

The Examiner argues that it would have been obvious to provide the piston (21) of *Nennecker* with the gas introduction system of *Csongor* to allow gas injection into the mold. There is no motivation to make this combination. The materials in *Nennecker* are doubly mixed in the chamber 26 [col.6, lines 19-28]. If the piston (21) of *Nennecker* was provided with the hole of *Csongor* for gas introduction, gas would be introduced into the chamber 36 and would not undergo the double mixing. This would defeat the goal in *Nennecker* of thoroughly double mixing the

60137-245/185-3067  
Serial No. 10/781,411, filed 2/18/04

materials. For this reason, there is no motivation to make the combination and claims 1, 2, 4-10, 15, and 17 are properly allowable.

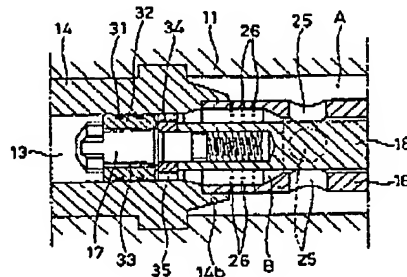
### Issue II.

The Examiner also has made a clear error in rejecting claim 4 under 103(a) by failing to consider a limitation of claim 4 in the cited references. Claim 4 recites that said piston is selectively moveable to block an air inlet through said mold valve chamber. In *Csongor*, air pressure or a spring-loaded mechanical actuation blocks the gas from introduction into the melt [see col. 5, lines 55-59]. Thus, piston movement in *Csongor* simply cannot block the air inlet, as recited in Applicant's claim 4. For this additional reason, claim 4 is properly allowable.

### Issue III.

The Examiner made a clear error rejecting claims 3 and 16 by failing to consider a limitation recited in claims 3 and 16 in the cited reference. Claims 3 and 16 were rejected under 103(a) as being unpatentable over *Nennecker* in view of *Csongor*, and further in view of *Takizawa*. Applicant's claims recite a mold valve piston (42) comprises a non-metallic portion (54) between a first metallic portion and a second metallic portion (56 and 58).

Figure 5 of *Takizawa, et al* is reproduced below. *Takizawa, et al* discloses a piston (32) having seal rings (31).



*Takizawa, et al.* Figure

Fig. 5

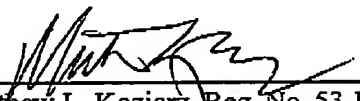
The Examiner contends the seal rings (31) and piston (32) of *Takizawa, et al.* are equivalent to Applicant's non-metallic portion being between metallic portions. The Examiner

60137-245/185-3067  
Serial No. 10/781,411, filed 2/18/04

argued that it would have been obvious to provide *Nennecker* with the seal rings (31) and piston (32) of *Takizawa, et al.* to seal the chamber (36). However, *Takizawa, et al.* does not even disclose that the piston (32) is metallic or that the seal rings (31) are non-metallic. Accordingly, the rejection fails to disclose all of the limitations of Applicant's claims 3 and 16.

Additionally, there is no motivation for making the proposed combination. Figure 1 of *Nennecker* shows a tight fit between the piston (21) and the walls of the chamber (36) that already provides sealing to prevent unreacted material from remaining in the chamber (36). Since the tight fit already achieves the desired effect, one would not need to use the sealing rings or even expect to improve the sealing with the sealing rings. The ability to add the sealing rings is not proper support for a 103(a) rejection, there must be motivation. Accordingly, claims 3 and 16 are properly allowable.

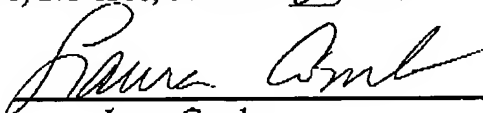
Respectfully submitted,

  
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Dated: March 20, 2006

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on March 20, 2006.

  
Laura Combs